

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JAMES SAXTON HARLAND, III,	)	
	)	
Plaintiff,	)	Civil Action No. 12-719
	)	
v.	)	Judge Cathy Bissoon
MICHAEL J. ASTRUE,	)	Magistrate Judge Maureen P. Kelly
<i>Commissioner of Social Security,</i>	)	
	)	
Defendant.	)	

**MEMORANDUM ORDER**

On August 17, 2012, this case was referred to United States Magistrate Judge Maureen P. Kelly for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C.

§§ 636(b)(1)(A) and (B), and Rules 72.C and 72.D of the Local Rules for Magistrates.

On January 14, 2013, the magistrate judge issued a Report (Doc. 11) recommending that Plaintiff's Motion for Summary Judgment (Doc. 7) be denied, and that Defendant's Motion for Summary Judgment (Doc. 9) be granted. Service of the Report and Recommendation was made on the parties, and no objections have been filed.

After a review of the pleadings and documents in the case, together with the Report and Recommendation, the following Order is entered:

Plaintiff's Motion for Summary Judgment (**Doc. 7**) is **DENIED**, and Defendant's Motion for Summary Judgment (**Doc. 9**) is **GRANTED**. The Report and Recommendation of Magistrate Judge Kelly dated January 14, 2013 is hereby adopted as the opinion of the District Court.

IT IS SO ORDERED.

February 1, 2013

s/Cathy Bissoon  
Cathy Bissoon  
United States District Judge

cc (via ECF email notification):

All Counsel of Record